

PH7054 DIV2
USSN 10/809,772
Amendment

REMARKS

Reconsideration and reexamination is respectfully requested.

Claim 22 was objected to. Claim 22 has been amended to by adding a period. Therefore, withdrawal of the objection is respectfully requested.

Claims 1-3, 5-22, 24, 26-31, 33, 35-39, 41-42 and 48-53 were rejected based on obviousness-type double patenting as being unpatentable over claims 1-12, 36-37 and 41-45 of US Pat. No. 6,759,411 (the '411 patent). The present application is a divisional of the '411 patent. During the prosecution of the '411 patent, the claims were amended based on a restriction requirement. However, the deleted subject matter was subsequently printed in the granted patent. The claims as currently pending in the present application do not overlap with those of the allowed claims of the '411 patent. A certificate of correction for the '411 patent is being submitted concurrently with this response in order to delete the unelected subject matter from the '411 patent. Therefore, withdrawal of the double patenting rejection is respectfully requested.

Claims 1-3, 5-22, 24, 26-31, 33, 35-39, 41-42 and 48-53 were rejected under Section 112, second paragraph, based on the definitions of "J". In claim 1, the language "when M is absent, J is selected from . . ." provides an alternative definition for J that is not meant to be the same as the earlier definition of J. It is not unclear. Therefore, withdrawal of the Section 112 rejection is respectfully requested.

The application is now believed to be in condition for allowance and notification thereof is respectfully requested. The Examiner is welcomed to call Applicant's representative at the telephone number below if he feels a telephone interview would further prosecution of this application.

Respectfully submitted,

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